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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,748	03/25/2004	Louis Tandle	1048 023 301 0202	5875

37211 7590 03/01/2005

BASCH & NICKERSON LLP
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PENFIELD, NY 14526

EXAMINER

SELLS, JAMES D

ART UNIT	PAPER NUMBER
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1734

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/808,748

Applicant(s)

TANDLE ET AL.

Examiner

James Sells

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7-9-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

HR

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber et al (US Patent 5,725,140) in view of 3M Technical Bulletin (Prevention of Pressure Sensitive Adhesive Cover Tape Jamming...).

Weber discloses a tape feeder apparatus and method for its use. As shown in Figs. 1-2, the tape feeder 10 comprises feed reel 12 on which carrier tape 13 is reeled, peel blade 34 for peeling cover tape 21, guides 22, 30 and 32 and sprocket wheel 50 for intermittently advancing or driving the tape in the manner claimed by the applicant (see col. 4, lines 23-63).

However, Weber does not disclose the folding pulley as claimed by the applicant. Regarding this difference, the applicant is directed to the reference of 3M.

3M discloses a system for preventing pressure sensitive adhesive cover tape from jamming in feeders. As shown in Figs. 2-8, the system employs a plurality of folding rollers or pulleys, which longitudinally fold the edges of the tape in the manner claimed by the applicant. This system prevents balling up of the cover tape as shown in Fig. 1.

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It would have been obvious to one having ordinary skill in the art to employ a folding system, as taught by 3M, in the device of Weber, in order to prevent balling up or jamming of the adhesive cover tape. Further, it is the examiner's position that the drive and control systems claimed by the applicant are well known and conventional in the art and would have been obvious to employ in the system of Weber in view of 3M described above in order to facilitate feeding of the materials.

3. Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber et al (US Patent 5,725,140) in view of 3M Technical Bulletin (Prevention of Pressure Sensitive Adhesive Cover Tape Jamming...) as described above in paragraph 2 in further view of Hover-Davis.

Hover-Davis discloses a component tape feeder. As shown on pp. 1-4 and 1-5 the cover tape is fed through corrugating rollers before entering the cover tape reservoir. Such a corrugating system appears to facilitate feeding of the cover tape to the reservoir. For this reason, it would have been obvious to one having ordinary skill in the art to employ a corrugating system, as taught by Hover-Davis, in the method and apparatus of Weber in view of 3M as described above.

Claim Objections

4. Claim 20 is objected to because of the following informalities:

Claim 20 should depend from method claim 17 instead of apparatus claim 14.

Appropriate correction is required.


References

5. References B–F are cited as prior art of interest.

Telephone/Fax

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sells whose telephone number is (571) 272-1237. The examiner can normally be reached on Monday-Friday between 9:30 AM and 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached at (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.



**JAMES SELLS
PRIMARY EXAMINER
TECH. CENTER 1700**